



# State of South Carolina

## Office of the Governor

MARK SANFORD  
GOVERNOR

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June 7, 2005

The Honorable David H. Wilkins  
Speaker of the House of Representatives  
P.O. Box 11867  
Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House:

I am hereby vetoing and returning without my approval, H. 3107, R-177, a bill which would add two lay members to the State Board of Medical Examiners.

This veto is based on my belief that this legislation blurs the lines between executive and legislative powers and needlessly politicizes the State Board of Medical Examiners. The Governor is currently authorized to appoint one lay member to the board. H. 3107 would add two additional lay members to the board that must be appointed "one upon the recommendation of the President Pro Tempore of the Senate and one upon the recommendation of the Speaker of the House of Representatives." This provision infringes upon the power of the executive branch in making appointments. I see this carving out of an inherently executive function for legislative members as harmful on two fronts:

First, the Governor's appointments to this board are already subject to the advice and consent of the Senate. This provision actually weakens the Senate's advice and consent power as it places individual Senators in the awkward position of voting on what is essentially an appointment made by the President Pro Tempore.

Secondly, while the current board may have its detractors, it has generally not been accused of being "political" in nature. This bill, as amended, threatens to change that perception, as members may be seen, however unfairly, as answering to their particular sponsor. I see that as potentially damaging to the reputation of the board.

For these reasons, I am returning H.3107 to you without my signature.

Sincerely,

A handwritten signature in dark ink, appearing to be "MS" or "Mark Sanford", written over a horizontal line.

Mark Sanford